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Attorney Docket: 53951-039

7-23-03

## INTHE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	
BURBANK, et al.	)
Serial No.: 09/513,910	) Group Art Unit: 3762 )
Filed: February 25, 2000	) Examiner: Patricia BIANCO )
For: HEMOFILTRATION SYSTEMS AND METHODS THAT MAINTAIN STERILE EXTRACORPOREAL PROCESSING CONDITIONS	) ) )

## RESPONSE TO OFFICE ACTION

RECEIVED
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Mail Stop Non-Fee Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

**TECHNOLOGY CENTER R3700** 

Sir/Madam:

This is in response to the Office Action mailed April 14, 2003, for which a shortened statutory period for response is set to expire on July 14, 2003. This response requests entry of amendments to the specification, drawings, and claims. Also, this response requests that

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7/11/2003 4:00:22 PM (18584)

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Patent

Attorney Docket: 53951-039

that claims 1-5 and 13-28 be reinstated for consideration as being drawn to the elected

invention.

Election/Restriction

The Office Action mailed January 10, 2003 identified three inventions as follows:

Class I: 1-5 and 21-28 directed to the waste fluid line with an air break;

Class II: 6-12 and 29-36 directed to using a sterile filter in the replacement fluid path;

and

Class III: 13-20 directed to extended use features.

In paper no. 11, Applicant elected the group II invention and requested amendment of

claims 1, 2, 3, 4, 5, 13, and 15. The amendments, which were apparently not entered or

acknowledged in the Office Action, were effective to cause these claims to be directed to the

elected invention. Applicant therefore requests entry of the amendment as entered in paper

no. 11. The list of claims is drafted under the assumption that the amendments to claims 1,

2, 3, 4, 5, 13, and 15 are entered.

Note that Applicant's attorney thanks the Examiner for discussing the claims and that

in consideration of the Examiner's concerns about the creation of species-election issues,

Applicant has further amended claim 13 and canceled claim 14 and 16-19. Also claims 21-

28 are canceled. The Applicant earnestly believes the remaining claims are directed to the

elected invention and do not introduce new issues for examination.

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